

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks herewith, which place the application into condition for allowance.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1, 2, 4-18 and 20-23 are pending in this application. Claims 1, 17, and 21 are independent.

### **II. REJECTIONS UNDER 35 U.S.C. §112**

Claims 1-2, 3-8, and 20-23 were rejected under 35 U.S.C. §112, first paragraph. The Office Action alleged, “[t]he claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventor(s), at the time the application was filed, had possession of the claimed invention.” In particular, the Office Action alleged the specification lacks support for the limitation, “wherein the modified address is used instead of an address from the HLR” recited in claims 1, 17 and 21.

Applicants respectfully traverse this rejection.

The Office Action reasons, “[t]he SMS Router directing the message to another SMS Router, instead of directing it [the message] to the destination mobile does not exclude the modified address to come from the HLR.” The Office Action misinterprets the specification.

However, there is no support anywhere in the specification for the modified address to come from the HLR. Rather, page 8, lines 19 to 22 of the specification, together with the

specification as a whole, provides clear support for the claimed feature. The meaning of the phrase “*The SMS Router may then respond on behalf of the HLR, but instead of directing the MT text message to the destination mobile as the HLR would have done*” (emphasis added) is clearly that it is the SMS Router that responds with an address, not the HLR. Clearly, **if** the HLR would have respond then the message would have been sent to the destination mobile. Use of the expression “would have done” clearly relates to what would have happened if the HLR had responded. As required by claim 1, the text message must be directed to the message processing means for implementation of the selected delivery mode. If the address for the destination mobile is used from the HLR then the selected delivery mode cannot be implemented because the text message will not be sent to the message processing means. Clearly, this would run counter to the requirement of claim 1. Therefore, the possibility for the modified address to come from the HLR is excluded. For at least the above reasons, the application provides support for the feature, “*wherein the modified address is used instead of an address from the HLR.*”

Applicants respectfully request withdrawal of the §112 rejection of claims 1-2, 3-8, and 20-23.

### III. REJECTIONS UNDER 35 U.S.C. §103

Claims 1, 2, 4, 7, and 17-22 were rejected under 35 U.S.C. §103 as allegedly obvious over International Publication No. WO 01/22751 (PCT/F100/00808) to Ala-Luukko et al. (hereinafter, merely “Ala-Luukko”) in view of U.S. Patent No. 7,222,192 to Allison et al. (hereinafter, merely “Allison”);

Claims 5, 8, 9, 11 and 12 were rejected as allegedly obvious over Ala-Luukko and Allison in view of U.S. Patent No. 6,108,559 to Astrom, et al. (hereinafter, merely “Astrom”);

Claims 6, 9, 12, 13, 16 and 23 were rejected as allegedly obvious over Ala-Luukko and Allison in view of U.S. Pub. No. 2003/0012348 to Skladman, et al. (hereinafter, merely “Skladman”); and

Claims 10, 14 and 15 were rejected as allegedly obvious over Ala-Luukko and Allison in view of U.S. Patent No. 6,101,393 to Alperovich et al. (hereinafter, merely “Alperovich”).

Applicants respectfully traverse this rejection.

Independent claim 1 recites, *inter alia*:

“A method of controlling delivery of text messages to a subscriber...

...

providing by the signal processing means, in response to the routing query on behalf of an HLR (home location register) of the home network, a modified address which causes the text message from said another network to be directed to said message processing means for implementation of said delivery mode,

...

wherein the modified address is used instead of an address from the HLR.” (Emphases added).

Applicants incorporate by reference the arguments presented in their October 31, 2007 preliminary amendment responsive to the prior Office Action mailed September 26, 2007.

The Office Action points to Allison, col. 17, lines 17-34, as disclosing the claim 1 feature, “wherein the modified address is used instead of an address from the HLR.” Applicants respectfully submit this is a misinterpretation of Allison. The cited location of Allison only describes how Provide Roaming Number queries are delivered from a HLR in another network to an MMR in the serving network. In Allison, the MMR is disposed at the address of, or in the normal signaling path for, a gateway MSC that receives signaling traffic from off-net. The external HLR, which is in another network, has no special knowledge of the existence of the MMR, and must address Provide Roaming Number queries in the normal way, that is, to a VLR address in the serving network. Accordingly, Allison discloses use of the address in the HLR to

send the Provide Roaming Number query. The address used to send the Provide Roaming Number query is not a modified address, which is used instead of an address from the HLR, it is an address from the HLR. This is reinforced by a stated object of Allison at col. 4, lines 40-44, that “*It is another object of the present invention to provide a system and method....without requiring the modification or re-programming of signaling message routing rules...*”(emphasis added).

In any case, in Allison the emphasis is on directing Provide Roaming Number queries. In the context Claim 1 of the present application, however, the modified address referred to relates to an address to which a **text message**, as distinct from a Provide Roaming Number query, is directed. Specifically, the modified address is recited in claim 1 as being required to cause “*the text message from said another network to be directed to said message processing means for implementation of said delivery mode.*” This is distinguishable from Allison where, as stated at col. 2, lines 12-17, an object of Allison is to ensure that the HLR is kept informed of the current location of the mobile subscriber, so that that information can then be used to send calls to the subscriber. This is because in Allison it is always an address in the HLR that is used to direct a call or a text message to its destination. As distinguished from the present claims, Allison is completely silent on using a modified address instead of an address from the HLR to direct text messages.

Alu-Luuko, Skladman, Alperovich and Astrom do not add the element missing from Allison as described above.

Applicants respectfully contend claim 1 is patentable over Alu-Luuko and Allison because those references taken alone or in combination do not teach or suggest each and every element recited in the claim.

For reasons similar or somewhat similar to those described above with regard to independent claim 1, independent claims 17 and 21 are also believed to be patentable.

#### **IV. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

#### **CONCLUSION**

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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A handwritten signature in black ink, appearing to be 'PA' or 'PL' with a large loop, written over a horizontal line.

By: \_\_\_\_\_

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